REMARKS/ARGUMENTS

The applicants have studied the office action mailed May 22, 2008, and believe the application is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Claims 31-48 and 51-53 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pub. No. 2003/0037178 A1 to Vessey et al. Claims 49, 50 and 54 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,804,714 B1 to Tummalapalli in view of U.S. Pat. No. 2003/0037178 A1 to Vessey et al. These rejections are respectfully traversed.

For example, claim 31 is directed to a "program storage device readable by a computer, the program storage device tangibly embodying one or more programs of instructions executable by the computer to perform a method for providing a two-step communication scheme, the method comprising: establishing a portion of memory configured to provide asynchronous, connectionless inter-process communication between a first process and a second processes; granting exclusive read and write access to a first process to the portion of memory configured to provide asynchronous, connectionless inter-process communication between the first process and the second process; while having been granted to the exclusive read and write access to the portion of memory configured to provide asynchronous, connectionless inter-process communication, accessing independently of any connection to said second process the portion of memory configured to provide asynchronous, connectionless inter-process communication by the first process to modify the contents thereof to provide a message for processing by the second process; and releasing exclusive read and write access by the first process to the portion of memory configured to provide asynchronous, connectionless inter-process communication to prevent inter-process communication between the first and second process from becoming a performance bottleneck by releasing resources of the first process after the first process modifies the contents of the portion of memory."

It is the Examiner's position that the Vessey reference teaches "granting exclusive read and write access to a first process to the portion of memory configured to provide asynchronous" (citing "... can write to, and read from ... " page 17 paragraphs 0236-0238, "...copies part ..." page 17 paragraph 0237, " ... read access ... write access .. ." page 18 paragraph 0242, ". . .access rights.. ." page 21 paragraph 0286/0287, ". ..lock mechanism.. .acquire lock.. ." page 21

paragraphs 0289-0292, "...updating information.. .." page 23 paragraph 0319, "...lock.. .." page 22 paragraph 0307"), "connectionless inter-process communication between the first process and the second process" (citing "...without.. .." page 2 paragraph 0024"). However, it is clear that the Examiner's citations to the Vessey reference lack any teaching or suggestion of "granting exclusive read access as well as exclusive write access to a first process to the portion of memory configured to provide asynchronous, connectionless inter-process communication between the first process and the second process" as required by claim 31. On the contrary, the Vessey reference makes clear that all operating systems can read from the *entire shared memory* even those portions allocated or associated with other operating systems or partitions for writing purposes. Vessey, paragraphs 236, 242, 289. Given that all operating systems can read from the *entire shared memory* even those portions allocated or associated with other operating systems or partitions for writing purposes, it is clear that the Examiner's citations to the Vessey reference teach the *opposite* of "granting exclusive read access as well as exclusive write access to a first process to the portion of memory configured to provide asynchronous, connectionless inter-process communication between the first process and the second process" as required by claim 31.

It is further the Examiner's position that, in the Vessey reference:

Access to the shared memory region is controlled by a lock mechanism. The lock mechanism allows the different partitions to lock access to the memory structures of shared memory region as needed and ensures that one partition is capable modifying any memory structure at any given time and therefore allows for exclusive/selective granting of access to the shared memory region.

The applicants respectfully disagree. The Vessey reference makes clear that "all partitions have *read* access to all output message buffer pool areas 1402." Vessey, paragraph 242. Hence, it is clear that the partitions of the Vesey reference do *not* have exclusive read access to an associated shared memory region. Given that all operating systems can read from the *entire shared memory* even those portions allocated or associated with other operating systems or partitions for writing purposes, it is clear that the Examiner's citations to the Vessey reference teach the *opposite* of "granting exclusive read access as well as exclusive write access to a first process to the portion of memory configured to provide asynchronous, connectionless

inter-process communication between the first process and the second process" as required by claim 31.

It is the Examiner's position that the Vessey reference teaches "establishing a portion of memory configured to provide asynchronous, connectionless inter-process communication between a first process and a second processes" citing paragraph 24 of the Vessey reference which discusses the Vessey processes communicating without the need for an *external* network connection. However, it is clear that the Vessey reference describes other connections such that the communication is not "connectionless" as required by claim 31. For example, the Vessey reference discusses, in paragraph 0440, communicating using a user-mode dynamic link library (DLL) 3430, which works in combination with a kernel-mode device driver 3440 to service requests made by one of the applications 3400a, 3400b to establish network type communications (e.g., a *socket connection*) with the other application on the other partition. Referring to paragraph 441, Vessey discusses the shared memory service provider DLL 3430 and shared memory SPI client device driver 3440 working together to establish data structures in shared memory to emulate the requested network connection. By requiring a socket connection between the first partition and the second partition, a bottleneck could occur because the socket connection between the first partition and the second partition is maintained. Moreover, maintaining a socket connection ties up finite resources of applications that maintain a connection between them.

In response to the applicants' position above, it is the Examiner's position that:

The emulate network communications and therefore "connection between partitions without the need for an external network connection" makes the communication between partitions connectionless.

However, it is respectfully submitted that claim 31 requires exclusion of not only external network communications but also the *internal* network type connections which are used for emulating external network connections. As noted above, the Vessey reference discusses, in paragraph 0440, communicating using a user-mode dynamic link library (DLL) 3430, which works in combination with a kernel-mode device driver 3440 to service requests made by one of the applications 3400a, 3400b to establish network type communications (e.g., a socket connection) with the other application on the other partition. Hence, the Examiner's citations to the Vessey reference cannot meet the requirement of claim 31 for "establishing a portion of

memory configured to provide asynchronous, connectionless inter-process communication between a first process and a second processes."

It is further the Examiner's position that:

The shared memory resources of a partitionable computer system enables the emulate network communications through a region of memory shared by one or more partitions. The emulate network communications and therefore "connection between partitions without the need for an external network connection" makes the communication between partitions connectionless.

The applicants respectfully disagree. It is respectfully submitted that the communications being emulated in the Vessey reference are network type connections e.g. a socket. Thus, a connection between the partitions is established in the form of the emulated network connection. Hence, it is clear that the communications between the partitions in the Vessey reference are not "connectionless. It is believed that such emulated network connections can result in a bottleneck occurring because the connection (that is, the emulated network connection) is maintained. Moreover, it is believed that maintaining a connection (that is, the emulated network connection) ties up finite resources of applications that maintain a connection between them, including emulated network connections.

Independent claims 37, 51 and 52 may be distinguished in a similar fashion.

As another example, claim 43 is directed to a "system, comprising: a first process; a second process; and memory configured to provide asynchronous, interprocess communication between the first process and the second process, wherein the memory provides a portion of memory configured to be accessible by the first and second processes by selective granting, wherein read and write access to the portion of memory is granted exclusively to the first process for modification of contents of the portion of memory to prevent inter-process communication between the first and second process from becoming a performance bottleneck by releasing resources of the first process after the first process modifies the contents of the portion of memory."

As set forth above, it is clear that the Examiner's citations to the Vessey reference lack any teaching or suggestion of "a portion of memory configured to be accessible by the first and second processes by selective granting, wherein read and write access to the portion of memory is granted exclusively to the first process" as required by claim 43. On the contrary, the Vessey

reference makes clear that all operating systems can read from the entire shared memory even those portions allocated or associated with other operating systems for writing purposes. Vessey, paragraphs 236, 242, 289.

The deficiencies of the Examiner's citations to the Vessey reference are not met by the Examiner's citations to the Tummalapalli reference. Independent claims 49, 50, 53 and 54 may be distinguished in a similar fashion.

The rejection of the dependent claims is improper for the reasons given above. Moreover, the dependent claims include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly hereinabove or the Examiner's comments are deemed moot in view of the above response.

Conclusion

For all the above reasons, Applicant submits that the pending claims are patentable. Should any additional fees be required beyond those paid, or should an extension of time be required, please charge Deposit Account No. 09-0466.

The attorney of record invites the Examiner to contact him at (310) 553-7970 if the Examiner believes such contact would advance the prosecution of the case.

Dated: December 29, 2008   By: /William Konrad/

                                          William K. Konrad
                                          Registration No. 28,868

Please direct all correspondences to:

William K. Konrad
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: (310) 553-7970
Fax: 310-556-7984